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Draft Chesapeake Bay Total Maximum Daily Load

Comment On: EPA-R03-OW-2010-0736-0001

Clean Water Act Section 303(d): Notice for the Public Review of the Draft Total Maximum Daily Load (TMDL) for the Chesapeake Bay

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Anonymous public comment

Submitter Information

General Comment

Why were the caploads of the Pennsylvania significant industries reduced so dramatically? From the attached table, the PA WIP allocated 1,820,139 pounds per year of Total Nitrogen. The EPA draft TMDL Backstop allocates 413,449 pounds per year. The PA WIP allocated 64,683 pounds per year of Total Phosphorus. The EPA draft TMDL Backstop allocates 4,181 pounds per year.

How were the Pennsylvania cap loads for the individual industries calculated? The attached table compares Pennsylvania significant cap loads from the PA WIP versus the EPA TMDL Backstop. As an example, some industries got merely 1% of the PA WIP Total Nitrogen capload and some were allocated 49%. Several of the insignificant industrial point sources were given caploads of zero (0) pounds per year of total phosphorus.

Why are the Pennsylvania industrial caploads significantly lower than municipal cap loads? In the EPA draft TMDL Backstop, municipal point source capload allocations were based on 3 mg/l of TN and 0.1 mg/L of TP and insignificant municipal point sources on 8 mg/L of TN and 2 mg/L of TP at design flow conditions. As the attached table shows, the industrial caploads are significantly lower.

Why were many industrial facilities given limits less than the limit of treatment technology at design flow conditions? The caploads cannot be achieved when the industry must treat the wastewater to reduce the concentrations of TN or TP in the discharge. This condition forces every industrial facility, as it approaches design conditions, to purchase nutrient credits, if they can.